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HEMDAT YAMIM

המדת ימים

Parashat HaShavua

Tetzaveh, 16 Adar 5781

The Seeds of Unification

Harav Yosef Carmel

Megillat Esther (2:5) calls Mordechai a "Judean man" and "son of Yair son of Shimi son of Kish, a Benjaminite." The *gemara* (Megilla 12b) is bothered by the apparent contradiction; one of its answers is that while he was genealogically from Binyamin, the people of Yehuda would argue that they deserve the credit for him because, as a descendent of Shimi, had David Hamelech killed Shimi ben Geira, Mordechai would not have been born.

According to this opinion, Shimi was actually deserving of death. It was when David was fleeing from his son Avshalom during the latter's rebellion that Shimi came forth to harshly curse and stone David, calling him a man of blood and a wayward man (Shmuel II, 16:5-7). Yet, David pardoned Shimi because after Avshalom's rebellion failed, Shimi came forward as the "first of the House of Yosef (the more prominent son of Rachel, and Binyamin's only full brother)" and apologized for his sin (ibid. 19:19-21).

If we look further at the language in Shmuel and in Esther, we can see other connections, between Esther (cousin of Mordechai) and her forebear Shimi ben Geira. In Shmuel, in the *p'sukim* on the return of Shimi, it refers to "that which is good in his eyes" (David, the king). This is parallel to Esther's use of "if I am good in his eyes" in reference to King Achashverosh (Esther 8:5). Another overlapping use of language is that both Shimi and Esther were *nofel* (fell on their faces) before the king, as Haman was also *nofel* before Esther (ibid. 7:8).

Let us present the following thesis. The repentance of Shimi ben Geira, as a representative of the part of Israel that was least aligned with the king of Judean descent, helped unify the nation once again. His descendent hundreds of years later, who declared "Go gather together all of the Jews," empowering her to go to Achashverosh and save the nation, tapped into the same power of unity. This is what connects the legacies of the heroes behind the two stories, as David of Yehuda recognized and acted on his understanding of the importance of unity.

Especially at times like this, when "preparing" for national elections, which historically include behavior among our prospective leaders which is anything but unifying, we must do our part and pray to Hashem. May He help us find leaders who will unite *Am Yisrael* around the foundations of our national life: the Torah of Israel in the Land of Israel, in a process of building a value-based society which lives based on the principles of charity and justice and serving as a light unto the nations. Then we can return to the days when the "The Jews had light and happiness, joy, and honor" (Esther 8:16). Let us pray that Hashem will grant us success as the sons of Avraham Avinu and as the soldiers of the always living King David. In order for our prayers to be accepted, we too should declare: *Hineni*. Maybe then we will merit to witness the Divine Presence return to its place by the *aron*.

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Ask the Rabbi

by Rav Daniel Mann

Purim Meshulash

Question: Could you please review some of the rules and rationale of the practices of *Purim Meshulash* (Triple Purim) in Yerushalayim? [This is a re-edited repeat from 15 years ago.]

Answer: When the fifteenth of Adar, celebrated as Purim in cities that were walled at the time of Yehoshua (notably including Yerushalayim), falls on Shabbat, when some of the *mitzvot* of Purim are inappropriate, the various *mitzvot* of the day are spread over three days, as we will explain. We will start conceptually and then review day-by-day activities.

Even in such a year, conceptually, the main day of "Shushan Purim" is still 15 Adar, even though it is the least "eventful" of the days. Therefore, matters that are connected directly to *tefilla*, and are not problematic on Shabbat, are done on Shabbat. This includes reading the story of the battle of Amalek (the last 9 *p'sukim* of Beshalach) as *maftir* and the special *haftara* and reciting *Al HaNissim* in *Shemoneh Esrei* and *Birkat HaMazon*.

Megillat Esther is not read on Shabbat for one of two reasons (Megilla 4b). Rabba says that it is out of fear that someone will carry the *megilla* in the public domain and thus desecrate Shabbat. Rav Yosef says it is because at the time of the *megilla* reading, poor people look forward to receiving charity, which they cannot do on Shabbat. As the rule is that *Megillat Esther* is never read later than the fifteenth of Adar (based on the words, "and they shall not pass," see Megilla 2a) the reading is pushed forward to Friday, 14 Adar. One who is celebrating *Purim Meshulash* should be extra careful to hear the *megilla* with a *minyan* in such a year (Mishna Berura 690:61), as when *megilla* is read early, it requires a *minyan*. (Follow health authorities/your rav/doctor regarding safety concerns; there are grounds for leniency – see Dirshu 690:58.)

Matanot la'evyonim (presents to the poor) follow suit and are given on Friday (Shulchan Aruch, Orach Chayim 688:6). After all, according to Rav Yosef, that was the reason to read the *megilla* early, and even Rabba must accept some level of linkage between reading the *megilla* and giving *matanot la'evyonim* (see Megilla 4b).

The *seuda* (festive meal) is held on Sunday, 16 Adar, according to most authorities (Shulchan Aruch *ibid.*). The Yerushalmi (Megilla 1:4) learns that it is not held on Shabbat because it must be a *seuda* whose obligation can be attributed only to *Chazal's* decision at the time of Mordechai and Esther. On Shabbat, of course, there is a *mitzva* to have a festive meal irrespective of Purim. Therefore, it says to delay the *seuda*. There are opinions that one can/should have a Purim meal on Shabbat, and so some make an effort to have more food and wine than usual at the Shabbat-day meal (*Purim Meshulash* (Diblitzi) 5:11). At the Sunday meal, *Al HaNissim* is not recited, at least not in the body of *Birkat HaMazon* (see Mikraei Kodesh, (Harari) *Purim* 15:(34) in the name of Rav Yisraeli).

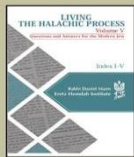
The *mitzva* of *mishlo'ach manot* (presenting foods to a friend) is apparently linked to the Purim *seuda*, and thus we give them on Sunday (Mishna Berura 688:18). Those who want to have a Purim *seuda* on Shabbat (see above) can attempt to fulfill *mishlo'ach manot* as well by giving to a neighbor or having a guest at the meal.

Visitors to Yerushalayim over Shabbat (even if they celebrated a full Purim on Friday) are obligated (according to most authorities - see Mikraei Kodesh *ibid.* 15:30) to do the *mitzvot* of both Shabbat and Sunday (wherever they are on Sunday) even if they leave Yerushalayim soon after Shabbat. This is because the obligations of Sunday are *tashlumin* (a make-up date) for what ideally should have been done on Shabbat (*Purim Meshulash* 8:15). (One should give the *mishlo'ach manot* to one who is obligated in the *mitzvot* of Sunday). Based on the same logic, one who comes to Yerushalayim after Shabbat is not obligated (*ibid.*).

Let's summarize by day. Friday- Reading of the *megilla* and *matanot la'evyonim*; Shabbat- *Al HaNissim* and special *maftir/haftara*; Sunday- *seuda* and *mishlo'ach manot*.

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Igrot HaRe'aya – Letters of Rav Kook

Dealing with Unauthorized Marriage – Vol. I, #16, p. 14

Date and Place: 18 Marcheshvan 5665 (1904), the Holy City of Yafo

Recipient: In honor of my friend, the rabbi who is exceptional in Torah and fear of Hashem, our master Rabbi Yaakov Mordechai Zinger (the rabbi of Rishon L'Tzion).

Greeting: Peace and blessing!

Body: I have heard a rumor that recently a man was found, whose name is Ch. H., who married a woman from Kishinev, whom he claims is a widow. This woman has come from a great distance with the claim of being a widow, and as such requires certification by a *beit din*. Heaven forbid, Heaven forbid, that the world should run as without any sense of order, whereby whoever wants to get involved in such serious matters (allowing a formerly married woman to remarry without proving that she is now single) can come forward and do so.

I have heard that the officiating rabbi at the wedding was a certain man whose name is T., and that he is a worker at the winery. He is deserving of a punishment of a monetary penalty, as is fitting for him for his brazenness, that he had the chutzpa to officiate a wedding without authority and without permission from a *beit din*. Such discipline would be appropriate even if things had been done in a proper manner. All the more so that he is fit for the punishment to be increased for misappropriating a matter to which it is not feasible for him to justify getting involved. This simpleton is fit to receive a scolding and great castigation.

I hope afterwards that I will be able to investigate the matter closely. In the meantime, I request of your honor to let me know what is happening regarding the case. But first of all, you shall send a warning in my name, that this couple should present an authorization from a *beit din* to allow them to get married, and then send them to me, or they themselves should come directly to me so that I can look into their ability to get married. Until it will be clarified that they are permitted to marry, they are forbidden to live together.

I am certain, based on the fear of God that you, my friend, may you live, have, that you will make the best efforts in this matter and inform me what has transpired as soon as is possible. I look to Hashem, may He be blessed, that He will help me arrive at the right conclusion and not leave Hashem's portion (religious matters at the fabric of society) to be trampled by the feet of all the lightheaded people in the world.

Sign Off: May this be a time of peace and blessing, and may there be closeness between your dear spirit and the spirit of your true friend who cares about the welfare of a person of your stature of Torah. I await your response promptly, Avraham Yitzchak Hakohen Kook.

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Those who fell in wars for our homeland. May Hashem avenge their blood!



Tzofnat Yeshayahu- Rabbi Yosef Carmel

The Prophet Yeshayahu performed in one of the most stormy and dramatic periods of the Israeli nation's life, a period of anticipation for the Messiah that was broken by a terrible earthquake, and also caused a spiritual and political upheaval. The light at the end of the tunnel shone again only in the days of Chizkiyah.

"Tzofnat Yeshayahu – from Uziya to Ahaz" introduces us to three kings who stood at this crossroad in our nation's history: Uziya, a king who sought God but was stricken with leprosy because of his sin; Yotam, the most righteous king in the history of our people; And Ahaz, the king who knew God but did not believe in His providence.

In his commentary on the prophecies of Yeshayahu, Rabbi Yosef Carmel, Head of the Eretz Hemdah-Gazit rabbinical court and a disciple of Rabbi Shaul Israeli z"l, clings to the words of Hazal, our sages, and to the commentaries of the Rishonim, the great Jewish scholars of the middle ages, and offers a fascinating way to study Tanach. This reading attempts to explain the Divine Plan in this difficult period and to clarify fundamental issues in faith. Tzofnat Yeshayahu reveals to the reader the meaning of the prophecies in the context of the prophet's generation and their relevance to our generation.

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P'ninat Mishpat

Operating a Preschool in a Private Building – part I

(based on ruling (appeal) 76035 of the Eretz Hemdah-Gazit Rabbinical Courts)

Summary of Original Ruling and Appeal: The plaintiffs (=pl) are residents in an apartment building in which their neighbor (=def) operates a preschool program (*gan*) for two-year olds. *Pl* complain that this causes noise and disturbances in the building, including making the use of elevators unfeasible at times. *Beit din* had ruled that the *gan* could continue for three reasons: 1. The present use of the apartment for a small group of children is within ordinary use approved by municipal standards (up to 10 children in Jerusalem). 2. Even if it were out of the ordinary, special consideration is given to Torah schools, and this applies to *ganim* as well (it is at least a matter of *mitzva*). 3. The Chatam Sofer says that necessary business that cannot be run in commercial areas can operate in residential ones; since there are not enough public accommodations for *ganim* in Jerusalem, residents cannot prevent their neighbor from running a small *gan*.

The appeal questions these reasons as follows: 1. According to Israeli law, it is forbidden to have any business in a residential building without a special permit, and the municipality's turning a blind eye does not change that. In this case, also, neighbors have complained for years, and *def* has not acted to minimize damage. Also in the past, she exceeded 10 children and it is hard to check if she is now exceeding it. 2. The institution of R. Yehoshua ben Gamla applies only from the age of six, and certainly not under three, and it anyway cannot overrule a local law. 3. The Chatam Sofer applies only when there are no alternatives. In this neighborhood, there are quite a few public buildings, and, in any case, *ganim* are usually on the ground floor where they are less disruptive.

Ruling: Before addressing each claim, we note that it is enough for one of the reasons to be valid to allow the *gan* to operate.

1. The fact that many businesses do not apply for a special permit to operate in residential areas is not criminal activity. The phenomenon has been approved by numerous court rulings and Knesset reports. Such publicly approved phenomena determine how to apply the existing laws. They do not apply to small "businesses," such as a *gan* up to 10 children, as is regulated by the municipality. It can operate now even if *def* exceeded that number in the past. If a resident suspects *def* of presently concealing the true number, he can ask the municipality to send an inspector.

2. *Pl* is correct that the institution of R. Yehoshua ben Gamla does not apply under the age of 3. If Torah needs to be taught at that age, it can be done in a short amount of time out of "school."

3. The logic of the Chatam Sofer is what guides municipalities in setting their standards. Clearly, on a citywide level, there need to be *ganim* in residential buildings, and it is not always feasible for it to be done on a ground floor. For this reason, the city does not require it. Therefore, the appeal is rejected.

Next time we will evaluate the rules beit din incorporated into running the gan.

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